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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,562	08/05/2003	Christopher Lawrence Fernandez	6-10	6016
7590 Werner Ulrich 434 Maple Street Glen Ellyn, IL 60137			EXAMINER NGUYEN, QUYNH H	
			ART UNIT 2614	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/23/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/634,562	<b>Applicant(s)</b> FERNANDEZ ET AL.	
	<b>Examiner</b> Quynh H. Nguyen	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 recites the limitation "the members; said message; the identification of the group and the identifications of the members of the group" in lines 5, 6, 7, and 8, respectively. There is insufficient antecedent basis for this limitation in the claim.

Similarly, claim 13 has the same defect in lines 11, 12, 13, and 14.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2, 4-8, 10, 13-14, and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Wu (U.S. Patent 6,275,575).

As to claims 1 and 13, Wu teaches a method of establishing a telecommunications group connection comprising the steps of:

responsive to the operation of an indicator, transmitting a request to a telecommunications network to establish a duplex group connection among the members of a group identified in a message (col. 3, lines 1-26);

in a database (col. 2, lines 55-61 - *a storage means*), translating between identification of a group and identifications of members of the group (col. 8, lines 38-53);

in the network, establishing connections between members of the group and a media duplicator for receiving input signals to members of the group (col. 5, line 66 through col. 6, line 4, lines 31-35).

As to claims 2 and 14, Wu teaches the group connection is a voice group connection wherein members of the group can hear a plurality of other talking members (col. 5, line 66 through col. 6, line 9).

As to claims 4-6, Wu teaches upon commencement of the telephone conference, server 106 only contact participants who responded positively that they will attend the meeting, hence the server 106 substituted for a connection to an absent member by not establishing a connection to a absent member but instead to another member (col. 5, line 66 through col. 6, line 4). Therefore it reads on claims limitation.

As to claims 7-8 and 16-17, Wu teaches the indicator is a soft button, a telephone alphanumeric key (col. 2, line 57 through col. 3, line 10; col. 4, line 21-30; col. 8, lines 24-36).

As to claims 10 and 18, Wu teaches transmitting a series of set-up requests from the server to the telecommunications network (col. 3, lines 13-26; col. 8, lines 4-23).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 9, 11-12, 15, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (U.S. Patent 6,275,575) in view of Cohen (U.S. Patent 6,332,153).

As to claims 3 and 15, Wu does not teach a group connection is a video group connection wherein members of the group can see a plurality of other members.

Cohen teaches a group connection is a video group connection wherein members of the group can see a plurality of other members (col. 3, lines 66-67; col. 5, lines 49-51 - *where Cohen discussed multimedia computer stations and video*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Cohen into the teachings of Wu for the purpose of having a more efficient system by having a wide variety of communications multimedia, for example, video.

As to claims 9, 11, and 19, Cohen teaches requesting a half duplex connection from a member's station to other members of the group (col. 1, line 66 through col. 2, line 16).

As to claims 12 and 20, Cohen teaches the group connection is a full duplex connection (col. 2, lines 56-58; col. 3, lines 8-12).

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wellner et al. (U.S. Patent 6,628,767) teaches active talker display for web-based control of conference calls.

Chen et al. (Pub. No US 2003/0035381) teaches network-based teleconferencing capabilities utilizing data network call set-up requests.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

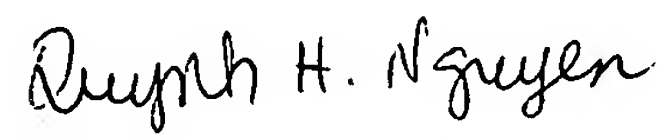
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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

qhn

A handwritten signature in cursive script that reads "Quynh H. Nguyen".

Quynh H. Nguyen  
January 18, 2007